

Oct 19, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID M. LEVIN and TERESA JAN

LEVIN, husband and wife,

Plaintiffs,

v.

PACIFIC HIDE & FUR DEPOT, d/b/a

PACIFIC STEEL & PACIFIC

RECYCLING, a Montana corporation,

KYLE DOE AND JANE DOE, husband

and wife, GORDON BECK AND JANE

DOE BECK, husband and wife; INLAND

NORTHWEST EQUIPMENT AUCTION,

INC., d/b/a/ REINLAND

AUCTIONEERS, a Washington

corporation; IBEX CONSTRUCTION,

INC., a Washington corporation; TIM

AND ROBERTA JACKSON, husband and

wife;

Defendants.

NO. 2:17-cv-00288-SAB

**ORDER GRANTING
DEFENDANT PACIFIC HIDE &
PACIFIC RECYCLING'S
MOTION TO AMEND ANSWER;
GRANTING DEFENDANT
BECK'S MOTION FOR
SUMMARY JUDGMENT**

Before the Court are Defendant Gordon Beck's Motion for Summary

**ORDER GRANTING DEFENDANT PACIFIC HIDE & PACIFIC
RECYCLING'S MOTION TO AMEND ANSWER; GRANTING
DEFENDANT BECK'S MOTION FOR SUMMARY JUDGMENT ~ 1**

1 Judgment, ECF No. 39; Defendant Pacific Hide & Pacific Recycling's¹ Motion to
2 Strike Paragraphs 19 and 20 of Defendant Beck's Statements of Facts and Exhibit
3 C thereto, ECF No. 53; Defendant Gordon Beck's Motion to Strike Declaration of
4 Annette M. Sandberg, ECF No. 61; Defendant Pacific Hide & Pacific Recycling's
5 Motion for Leave to Amend Answer, ECF No. 66; Defendant Pacific Hide &
6 Pacific Recycling's Motion to Strike Portions of Defendant Gordon Beck's Reply
7 to Responses in Opposition to Motion for Summary Judgment, ECF No. 68; and
8 related Motions to Expedite, ECF Nos. 62, 69.

9 Defendant Gordon Beck moved for summary judgment on those claims
10 asserted against him by Plaintiffs. Plaintiffs did not respond to the motion. The
11 parties indicate that Plaintiffs have stipulated to the dismissal of claims against
12 Defendant Beck, although the Court was unable to locate any stipulation in the
13 record. Based on these representations, the Court grants Defendant Gordon Beck's
14 Motion for Summary Judgment.

15 Defendant Pacific Hide & Pacific Recycling asks for leave to amend its
16 answer to include cross-claims for negligence and contribution against the other
17 Defendants. Fed. R. Civ. P. 15 instructs the Court to freely give leave when justice
18 so requires. Defendant Gordon Beck objects, but has not demonstrated how he
19 would be prejudiced if the Court grants Defendant leave to file an amended
20 answer.

21 Accordingly, **IT IS ORDERED:**

22 1. Defendant Gordon Beck's Motion for Summary Judgment, ECF No.
23 39, is **GRANTED**. The District Court is directed to enter judgment in favor of
24 Defendant and against Plaintiffs with respect to those claims asserted against it by
25 Plaintiffs.

27 ¹ Defendant Pacific Hide & Fur Depot refers to itself in its Motions as Pacific Hide
28 & Pacific Recycling.

2. Defendant Pacific Hide & Pacific Recycling's Motion for Leave to Amend Answer, ECF No. 66, is **GRANTED**.

3. Defendant Pacific Hide & Pacific Recycling is granted leave to file an Amended Answer.

4. Defendant Pacific Hide & Pacific Recycling's Motion to Strike Paragraphs 19 and 20 of Defendant Beck's Statements of Facts and Exhibit C thereto, ECF No. 53, is **DENIED**, as moot.

5. Defendant Gordon Beck's Motion to Strike Declaration of Annette M. Sandberg, ECF No. 61, is **DENIED**, as moot.

6. Defendant Pacific Hide & Pacific Recycling's Motion to Strike Portions of Defendant Gordon Beck's Reply to Responses in Opposition to Motion for Summary Judgment, ECF No. 68, is **DENIED**, as moot.

7. Defendant Gordon Beck's Motion to Expedite, ECF No. 62, is **GRANTED**.

8. Defendant Pacific Hide & Pacific Recycling's Motion to Expedite, ECF No. 69, is **GRANTED**.

IT IS SO ORDERED. The District Court Clerk is hereby directed to enter this Order and to provide copies to counsel.

DATED this 19th day of October 2018.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned above the printed name of the judge.

Stanley A. Bastian
United States District Judge